IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.22234 of 2004

Between:

1 L. Ramalaxmamma W/o Pitchi Reddy
R/o Illirampet Village, Mandal B. Kodur Kadapa District
2 K. Vijayamma W/o K. Ramchandra Reddy
Illirampet Village, Mandal Kodurk, Kadapa District

..... PETITIONERS

AND

1 The District Collector, Cuddapah Cuddapah District
2 The Revenue Divisional Officer, Rajampet, Cuddapah

District
3 The Mandal Revenue Officer, B.Kodur, Cuddapah District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in issuing the proceedings Ref.B1/1039/2004 dated 14-11-2004 as illegal, arbitrary and liable to be set aside and consequently direct the Respondents not to

dispossess the petitioners from the lands in Sy. No.1647/2 extent Acres 5-00, Sy. No.1647/3 extent Ac.1-42 and in Sy. No.1648/2 an extent of Ac.3.53 situated at Munulli Village, B.Kodur Mandal, Cuddapah District.

Counsel for the Petitioners: MR.Y.ASHOK RAJ

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

O R D E R:

Heard both the counsel.

2. The case of the petitioners is that they were granted D.K.T. pattas in different survey numbers situate at Munulli Village, B.Kodur Mandal, Cuddapah District and they were also issued with pattadar passbooks. The grievance of the petitioners is that the 2nd respondent through proceedings in Ref.No.B/1039/2004 dated 14.11.2004 cancelled the said allotment for the purpose of giving away the land to landless poor. Challenging the same the present writ petition is filed.

3. It is to be seen that against the order of the 2nd respondent, an appeal lies to the 1st respondent – District Collector. Therefore, the petitioner ought to have availed the said remedy instead of filing the writ petition.

4. Therefore, the petitioners shall file appeal before the 1st respondent – District Collector against the orders of the 2nd respondent – Revenue Divisional Officer, within a period of one week from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. No costs.

_____ 02.12.2004

AVS /NSR

To

1 The District Collector, Cuddapah Cuddapah District
2 The Revenue Divisional Officer, Rajampet, Cuddapah

District
3 The Mandal Revenue Officer, B.Kodur, Cuddapah District

4 Two CCs to GP for Revenue, High Court of AP, Hyderabad

(OUT)

5 Two CD copies.